

KATHY A.F. DAVIS (4022)  
ROGER R. FAIRBANKS (3792)  
KAITLIN DAVIS (15831)  
Assistant Attorneys General  
Utah Attorney General's Office  
MARK BOSHELL (16002)  
KENDALL G. LAWS (14700)  
Special Assistant Attorneys General  
SEAN D. REYES (7969)  
UTAH ATTORNEY GENERAL  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
[kathydavis@agutah.gov](mailto:kathydavis@agutah.gov)  
[rfairbanks@agutah.gov](mailto:rfairbanks@agutah.gov)  
[mboshell@utah.gov](mailto:mboshell@utah.gov)  
[klaws@utah.gov](mailto:klaws@utah.gov)  
*Attorneys for Plaintiffs*

---

IN THE UNITED STATES JUDICIAL DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

---

STATE OF UTAH, et. al.,

Plaintiffs,

v.

HAALAND, et. al.,

Defendants,

and

SUWA,

Intervenor-Defendant.

**PLAINTIFFS' UNOPPOSED MOTION TO  
AMEND THE SCHEDULING ORDER**

Case No. 2:24-cv-00172-TS-DAO

Judge Ted Stewart  
Magistrate Judge Daphne A. Oberg

---

Pursuant to Rule 7-4(c) of the Local Rules of Civil Practice of the United States District Court for the District of Utah Plaintiffs, State of Utah, *et al.*, submit this Motion to Amend the Scheduling Order and vacate the existing Scheduling Order previously issued by the Court on May 30, 2024. Plaintiffs have conferred with counsel for the parties, and they do not oppose this motion and agree to the dates proposed. A Proposed Order is attached to this Motion and will

be emailed to the Court in an editable format. The cause for this Motion to Amend the Scheduling Order is the Motion for Leave to File an Amended Complaint filed simultaneously by the Plaintiffs. Plaintiffs have moved to amend their complaint due to this Court's recent decision in a relevant case, *Kane Cnty v. United States.*, 2:10-cv-01073, (D. Utah, Aug. 9, 2024), Dkt. 792, which the Plaintiffs believe will have significant implications for the present case. An amended scheduling order, as proposed, will provide the parties sufficient time to respond to the motion and the Amended Complaint. Plaintiffs Propose the following changes:

**I. Existing Dates:**

- a. Plaintiffs' Opening Brief: **October 2, 2024.**
- b. Federal Defendants' Response Brief: **November 6, 2024.**
- c. Intervenor-Defendant's Response Brief: **November 20, 2024.**
- d. Plaintiffs' Reply Briefs: **December 18, 2024.**

**II. Proposed Dates:**

- a. Plaintiffs' Opening Brief: **January 17, 2024.**
- b. Federal Defendants' Response Brief: **February 21, 2025.**
- c. Intervenor-Defendant's Response Brief: **March 7, 2025.**
- d. Plaintiffs Reply Brief: **April 4, 2025.**

DATED this 26<sup>th</sup> day of September 2024.

/s/ Roger R. Fairbanks  
Assistant Attorney General  
*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

I certify that on this 26<sup>th</sup> day of September 2024, the undersigned electronically filed the foregoing **UNOPPOSED MOTION TO AMEND THE SCHEDULING ORDER** with the Clerk of the Court using the CM/ECF system which will send notification of this filing to all counsel of record.

/s/ Roger R. Fairbanks  
Assistant Attorney General